UNITED NATIONS

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General Assembly

Distr.
GENERAL

A/44/974
7 September 1990

ORIGINAL: ENGLISH

Forty-fourth session
Agenda items 18 and 36

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

QUESTION OF NAMIBIA

Letter dated 27 August 1990 from the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples addressed to the President of the General Assembly

I have the honour to inform you that, at its 1376th meeting, on 20 August 1990, the Special Committee adopted a resolution in which the nomenclature of agenda item 115, "Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Namibia and in all other Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa", was changed to "Activities of foreign economic and other interests which are impeding the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples in Territories under colonial domination and efforts to eliminate colonialism, apartheid and racial discrimination in southern Africa".

Since Namibia has attained its independence and is now a Member of the United Nations, I would be grateful if the above-mentioned change in the wording of the item could be brought to the attention of the General Assembly, with a view to reflecting a similar change in the provisional agenda of the forty-fifth session.

(Signed) Tesfaye TADESSE
Chairman
Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

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UNITED NATIONS

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General Assembly

Distr.
GENERAL

A/44/975
10 September 1990

ORIGINAL: ENGLISH

Forty-fourth session
Agenda items 36 and 123

QUESTION OF NAMIBIA

PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1990-1991

Programme budget implications of the draft resolutions contained in documents A/44/24/Add.1 and A/44/24/Add.1/Corr.1/Rev.1

Report of the Fifth Committee

Rapporteur: Mr. Etien NINOV (Bulgaria)

1. At its 66th meeting, on 10 September 1990, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/44/56/Rev.1) on the programme budget implications of the draft resolutions contained in documents A/44/24/Add.1 and A/44/24/Add.1/Corr.1/Rev.1. The recommendations of the Advisory Committee on Administrative and Budgetary Questions were presented orally by its Chairman.

2. Statements and comments made in the course of the Committee's consideration of this item are reflected in the relevant summary records (A/C.5/44/SR.66).

3. Statements in explanation of position were made by the representatives of Italy (on behalf of the States members of the European Community) and the United States of America.

DECISION OF THE FIFTH COMMITTEE

4. The Fifth Committee decided, without a vote, to inform the General Assembly that, should it adopt the draft resolutions contained in documents A/44/24/Add.1 and A/44/24/Add.1/Corr.1/Rev.1, no additional appropriations would be required under sections 3 (Political affairs, trusteeship and decolonization) or 29 (Conference and library services) of the programme budget for the biennium 1990-1991.

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READEX FICHE

UNITED
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General Assembly

Distr.
GENERAL

A/44/976
11 September 1990

ORIGINAL: ENGLISH

Forty-fourth session
Agenda item 28

POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

Letter dated 11 September 1990 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General

I have the honour to transmit to you a letter from the South African Minister of Foreign affairs, Mr. R. F. Botha, concerning the Declaration on Apartheid and its Destructive Consequences in Southern Africa.

I should be grateful if it could be circulated as an official document of the forty-fourth session of the General Assembly under agenda item 28.

(Signed) Jeremy B. SHEARAR
Ambassador
Permanent Representative

ANNEX

Letter dated 11 September 1990 from the Minister of Foreign Affairs of South Africa addressed to the Secretary-General

FORTY-FOURTH SESSION OF THE GENERAL ASSEMBLY : DECLARATION ON APARTHEID AND ITS DESTRUCTIVE CONSEQUENCES IN SOUTHERN AFRICA

Objection to Interference

As stated in my letters to you of 7 December 1989 and 7 June 1990, the South African Government objects to the intervention of the General Assembly in South Africa's internal affairs. I reiterate: It is the sole right of the leaders and people of South Africa to negotiate a new constitution for the country. The "Declaration on Apartheid and its Destructive Consequences in South Africa" adopted by the General Assembly on 14 December 1989, has no validity. Indeed the current debate is entirely incongruous particularly in the light of the bold initiatives and irreversible changes introduced by President F W de Klerk since 2 February 1990.

The Report of the Secretary-General

The United Nations Secretariat Mission under the leadership of Mr Abdulrahim Farah, was admitted to South Africa from 9 to 19 June 1990 so that it could acquaint itself with the actual situation within South Africa in the same way as the South African Government is allowing fact-finding Missions from all over the world to come to South Africa in order to discover the truth. Without in any way conceding that the United Nations or any of its bodies has any right to intervene in the South African constitutional process it is nonetheless significant that the Mission concluded in its report of 1 July 1990 that:

"South Africa has reached the threshold of a new era. The political process on which it has embarked holds encouraging prospects of leading to the dismantling of apartheid.

A national debate has begun on the adequacy of the measures that have been initiated to establish a climate conducive to negotiations, and on additional measures that need to be taken to satisfy the aspirations of the South African people.

There is a general perception that the path taken by the Government offers real promise for constructive political discussion and represents a significant change from the position of its predecessors. ..."

Your covering report stated:

"The Secretary-General has been greatly encouraged by the positive developments that have taken place within South Africa since the beginning of this year. The bold and courageous policy to which President de Klerk has committed his Government opens up distinct possibilities for the dismantling of the apartheid system. ...

The fact that the Team was able to meet with whom it wished, travel where it desired, and receive freely the views of all on political issues arising from the policy of apartheid, demonstrates, by itself, a significant change in the political climate.

Of the measures required by the Declaration on Apartheid and its Destructive Consequences in Southern Africa to create a climate for free political activity, the measure relating to the lifting of the ban on political parties and movements has been implemented in full. Other measures have been implemented in part. While it is evident that an important process has been set in motion, many believe that the Government should implement all measures in their totality to create the appropriate atmosphere".

These acknowledgements are a positive sign, a major step in the right direction.

A New Constitution for South Africa

In my letter of 7 December 1989, I set out the principles which the South African Government believes should be incorporated in the new constitution. In brief these are

inter alia:

- A multi-party democracy with regular elections;
- Acceptance of the right of all South Africans to participate in a government at all levels through power-sharing without domination;
- No racial, or other discrimination;
- A vote of equal value for all;
- An independent judiciary;
- Freedom of religion;
- Freedom of assembly and expression;
- Freedom of the press;
- A market orientated economic system;
- The right to own and dispose of private property;
- Recognition of backlogs amongst the lesser developed people of the country and the necessity to reduce these backlogs;
- An entrenched and justiciable Bill of Rights.

The Pretoria Minute of 6 August 1990

The agreement between the South African Government and the ANC, as recorded in the Pretoria Minute of 6 August 1990 cleared all the obstacles to negotiations which the South African Government and the ANC had earlier raised.

A salient feature of the accord was the announcement by the ANC that the organisation was suspending all armed action and related activities with immediate effect. As a result of this, no further armed actions and related activities by the ANC and its military wing Umkhonto We Siswe were to take place.

Agreement was also reached on guidelines which were to be applied in dealing with members of all organisations, groupings or institutions, governmental or otherwise, who committed offences on the assumption that a particular cause was being served or opposed.

With due cognizance of the interest, role and involvement of other parties, the delegations also considered it necessary that whatever additional mechanisms of communication were needed, should be developed at local, regional and national levels. This would enable public grievances to be addressed peacefully and in good time, avoiding conflict. They recognized that they were not the only parties involved in the process of shaping the new South Africa. There were also other parties committed to peaceful progress.

My Government also undertook to consider the lifting of the State of Emergency in Natal as early as possible, in the

light of positive consequences that would hopefully result from the accord.

The accord notes that in the light of the agreement reached, "the way is now open to proceed towards negotiations on a new constitution". Exploratory talks to this end are being planned.

The agreement reached is most significant and, in the words of the Pretoria Minute, "can become a milestone on the road to true peace and prosperity for our country".

Developments since 6 August 1990

Acting on the Pretoria Minute, the Joint Government/ANC working group has completed its report on the release of ANC-related prisoners and the granting of indemnity in a "phased manner". The report is now being submitted to the Government and the ANC National Executive Committee for consideration. The Minister of Justice announced on 31 August 1990 that a number of additional prisoners were to be released soon from different prisons countrywide in accordance with the target dates agreed on in the Pretoria Minute. In terms of the Pretoria Minute, the further release of prisoners is being dealt with administratively as from 1 September 1990. Some thirty prisoners have thus been released and the process will continue.

A second Government/ANC working group has also been appointed to resolve outstanding questions arising from the ANC's decision to suspend armed actions. This working group met for the first time in the week, 3 - 7 September 1990. Channels of communication set up in terms of the Groote Schuur Minute of 4 May 1990 are also being developed. The South African Government and the ANC have,, for instance, created communication structures to curb violence in the townships and the South African Police and the ANC have established direct contact in this regard. What South Africa needs above all is the termination of the power struggle, be it between Whites and Blacks or between Blacks inter se. We need joint action and acceptance of joint responsibility by all the acknowledged leaders of the country for the maintenance of peace and stability and the negotiation of a new constitution for the country which should receive the support of the majority of all our people, Black and White, Coloured and Indian.

On 29 August 1990, the Minister of Constitutional Development, stated that the South African Government was prepared to consider an interim arrangement which would allow organisations, such as the ANC, and other parties an

opportunity to influence decisions in Parliament while negotiations were under way. He said that the Government would be prepared to negotiate the creation of "informal channels" to allow extra-parliamentary groups to influence decision-making in the Executive and Parliament. This does not amount to an interim Government. The present Government should remain intact during negotiations. We sincerely believe that good government is essential in the transitional phase to avoid anarchy or delay the negotiation process.

Meetings with various Parties and Leaders

Apart from the meetings with the ANC, important rounds of talks were held between the State President and leaders of the First and Second Tier Governmental Institutions, of which a majority are Black.

The latest meeting which took place on 10 August 1990, primarily addressed questions relating to the future of regional government, ways of participation in the future negotiating process and the unacceptable level of violence in the country.

There was consensus that:

(1) Effective and orderly government must proceed within existing structures until they are replaced in a constitutional manner by negotiated new structures.

(2) Constitutional reform must fundamentally address central, regional and local levels of government.

(3) Looking at the future, it will probably be necessary to provide for the constitutional accommodation of the diversity of regional interest and circumstances prevailing within South Africa. Therefore devolution of power to regional government must be seriously considered. Preparatory investigations into available options are indicated, without pre-empting the negotiation process.

(4) It should be possible for political organisations with recognized support to participate in the negotiation process through their representatives in the negotiation process. Further exploratory discussions are required before this process can be structured.

It was therefore resolved to set up a working group of representatives of central and regional government to further explore -

(a) the principles and concepts concerning regional government;

(b) steps to be undertaken in the event of the substitution of existing second tier constitutional structures by a new system;

(c) without in any way pre-empting negotiations or binding parties, alternatives for the composition of a negotiating forum, how representatives to such a forum should be identified and which steps are needed to reach that goal.

The working group would be free to co-ordinate with other working groups or bodies concerned with related matters.

In a joint communique it was stated that:

> "In doing the above we, who have for many years walked the path of peaceful progress, will be continuing on that road. Recent developments have raised hopes that all our countrymen will soon sit down together to begin real negotiations towards a new democratic South Africa".

The meeting expressed its grave concern at the high level of violence and intimidation in various parts of the country. It supported the steps that had been taken to improve the country's capacity to maintain law and order. The meeting called upon all South Africans to desist from the use of violence and intimidation and to support the steps which were being taken to curb it, at the same time allowing the peaceful process of talks and negotiations to take its course.

On 24 August 1990 the State President restated the South African Government's preference for all political groups with recognized support to be represented at the negotiating table. In this connection the Minister of Constitutional Development, dr G van N Viljoen, wrote to the Pan African Congress on 17 August 1990, inviting the PAC tc take part in talks on a new constitution. The PAC's President, mr Zeph Mothopeng replied that "after consultation with members of the National Working Committee, it was decided that the matter should be referred to all PAC structures and Africanist formations for discussion". The South African Government would welcome PAC participation in future negotiations. A similar invitation is being extended to Azapo.

Apartheid

The international community still speaks of "dismantling apartheid". I understand the international community's preoccupation with dismantling apartheid; it is also a preoccupation of my Government. Already more than hundred discriminatory laws and regulations have been removed from the Statute Book. Only three major areas remain: the Population Registration Act, the Group Areas Act and the Land Acts. The last two will be addressed when Parliament meeting early in 1991. The intention and commitment to do so, was publicly announced by the State President in Parliament earlier this year. The Population Registration Act is inseparable from the present constitution and will fall away when a new constitution is adopted - this is what the envisaged negotiations are designed to do. What is important, however, is that my Government's commitment to remove the last pillars of Apartheid is final and irreversible.

Security Legislation

The South African Government has undertaken to review existing security legislation to bring it into line with the new dynamic situation developing in South Africa in order to ensure normal and free political activities.

Membership of the National Party

A very significant development occurred on 31 August 1990, when the State President proposed that the National Party, the governing party, should open its ranks to all South Africans. He stated that the existing restrictions on membership of the National Party were in conflict with the Party's declared point of view against racial discrimination. This is clear confirmation of the irreversibility of the Government's commitment to remove racial discrimination. The National Party Congresses of Natal and the Orange Free State have already endorsed the State President's proposal. The Congresses of the Cape Province and the Transvaal will consider the proposal within the next two months.

Violence

Strenuous efforts are being made to control the violence which has broken out between Black factions in South Africa. over 500 persons died during the wave of violence on the Witwatersrand during the month of August 1990. Over 40

policemen have been killed and 1000 injured in attacks on them and their families this year in the course of their efforts to halt violence between Black factions.

Accusations are levelled at the South African Police from parties to the left and right of the South African Government to the effect that the Police are partial. There are no angels in the South African Police, just as there are no angels in any of the political parties of this country. The Government does not hesitate to take steps to rectify any irregularities which are reported and proved. There is a clear record to confirm this. Little or nothing is being said by those who blame the Police about the daily instances in which members of the Police have to risk their lives to prevent other from killing one another. It should be noted that White policemen do not make up the majority of the force. Attributing blame to the South African Police is undeserved.

Rather, every political party should exert itself to ensure that its followers on the ground comply with the commitment of their leaders to a peaceful resolution of South Africa;s problems. To put it bluntly: attempts by any one political party or alliance of parties to become, through intimidation and threats of violence, the sole and dominant political force in South Africa will be met by reaction including violent reaction. What South Africa needs is tolerance of differing points of view and a willingness on the part of all acknowledged political leaders to participate in a process of reconciliation leading to unity on matters of decisive importance in order to ensure economic growth and development. The South African Police can and do confiscate dangerous weapons. It is the duty however of all the leaders to remove the spears and guns from the <u>minds</u> of their followers. This the South African Police cannot do.

It would also, I believe, be a constructive contribution if the international community could adopt a more evenhanded approach towards the emerging political parties in South Africa.

Ending the violence between the ANC and Inkatha is a major priority of my Government. We have as a Government been pressing for a meeting between Dr Mandela and Dr Buthelezi. Dr Mandela claims that the ANC will not allow him to participate in such a meeting. There are now suggestions that a meeting will take place at a level lower than the top structure of the two organisations. This is a positive development but we continue to believe that a meeting at the level of Dr Mandela and Dr Buthelezi is essential if we are to succeed in curbing the violence. I have appealed to Governments through local diplomatic representatives to use

their influence to bring about such a meeting but I believe it would be useful if the international community could issue a public appeal to the two leaders to join forces in putting an end to the bloodshed.

The Government has introduced additional measures of a temporary nature to curb the violence and stabilise the situation in residential townships. Liaison forums between the Police, the ANC, Inkatha and other organisations and communities have been created to preclude recourse to violence. The Government's efforts to bring peace to the Natal region culminated in an agreement signed on 1 September 1990 between representatives of the executives of the ANC and Inkatha. Civic organisations, Cosatu, the local Chamber of Commerce and the security forces all had an active hand in drafting the document. The agreement emphasises the right of free political association, the need for tolerance and impartial maintenance of law and order. In a related announcement, Zulu and Xhosa leaders declared a truce on 30 August 1990 after a lengthy meeting in Durban. The leaders called on all Zulus and Xhosas to desist from violence.

Sanctions

This is not the time to speak of a continuation of sanctions. If unemployment, poverty and misery should continue to escalate because of a depressed economy and a shortage of investment capital, we shall be faced with an explosive situation which will have serious consequences for the negotiation process and for the South African region - if not for Africa as a whole.

Importance of Economic Development

Circumstances have changed dramatically in South Africa since February 2 of this year. Numerous channels of communication have been re-opened with Governments all over the world. We have been establishing productive relations with fellow Africans.

The political die in South Africa has been cast. There is no turning back on the road to a new and just South Africa. What is at issue is the economic future of South Africa and in fact the African continent.

The countries of Africa should combine their resources on a regional basis to create attractive fields for investment and larger internal markets. South Africa's economy, ten times larger than the economies of its ten neighbours in southern Africa, is ideally suited to act as the linch-pin of

economic cooperation. South Africa has developed the essential local expertise, physical infrastructure and financial infrastructure: the Southern African region as a whole is endowed with raw materials in great demand by the more developed countries. The injection of capital will provide the catalyst for a process which will reward all the countries of the region. South Africa will reward all the countries of the region. South Africa has no intention of dominating neighboring economies. It is in South Africa's interest that its neighbours should prosper, thus removing the need for millions of citizens from neighboring states to enter South Africa for employment, training and medical care.

Regional economic revival is dependent on the state of South Africa's economy. The Dublin Declaration of the European Council of 26 June 1990 recognises the role that South Africa could play in stimulating growth in the region.

South Africa's Future to be Determined by South Africans

The General Assembly now has a historic opportunity to recognise the changes that have taken, and are taking place in South Africa; to reaffirm that it is for South Africans alone to determine their future and to encourage all its citizens to participate constructively and imaginatively in the negotiations for a new constitution. By so doing it could terminate any attempts at interfering in the internal affairs of a Member State and demonstrate its commitment to the peaceful resolution of disputes. To continue to interfere would be counter-productive and risk upsetting the serious efforts being made to get the negotiations under way. My appeal is: leave it to South Africans to design a workable framework for a stable new South Africa.

UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/44/977
12 September 1990

ORIGINAL: ENGLISH

Forty-fourth session
Agenda item 28

POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

Letter dated 12 September 1990 from the Chargé d'affaires a.i. of the Permanent Mission of Norway to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the Nordic Declaration on South Africa adopted on 12 September 1990 at the Nordic Foreign Ministers' meeting which was held in Norway on 11 and 12 September 1990.

I should be grateful if you would arrange for the text of this letter and its annex to be circulated as a document of the forty-fourth session of the General Assembly under agenda item 28.

(Signed) Lasse SEIM
Chargé d'affaires a.i.

ANNEX

Nordic Declaration on South Africa adopted on 12 September 1990

The Nordic countries have consistently and strongly repudiated the apartheid system in South Africa. They are determined to continue their active efforts to contribute to the complete abolition of apartheid and to the introduction of a democratic non-racial society in South Africa.

The Nordic countries note with satisfaction that significant and positive developments have begun in South Africa, holding out hope that profound changes are now within reach. However, they point out that fundamental elements of the basic pillars of the apartheid system are still in force.

In consideration of this, the Nordic countries reaffirm that their policy towards South Africa continues to be based on the central elements of the 1988 Nordic Programme of Action. The Nordic countries will thus maintain the pressure on the South African Government, including economic sanctions, until there is clear evidence of profound and irreversible changes in South Africa.

In the view of the Nordic countries, lasting changes in South Africa should be achieved by negotiations and by peaceful means. They join the rest of the international community in urging the South African Government and representatives of the majority population to carry out real negotiations for the total abolition of the apartheid system in an atmosphere free from violence or threats of violence. All parties in South Africa should follow the example set by the ANC and the South African Government and commit themselves to finding peaceful solutions without resorting to violence.

The Nordic countries will contribute to the promotion of the dialogue and the process of democratization in South Africa. In the light of the progress made during the talks between the ANC and the South African Government, the Nordic Governments feel that there are grounds for hoping that such changes may be decided in the not too distant future.

The Nordic countries have already made some adjustments in their visa provisions with a view to increasing opportunities for contacts that could contribute to furthering the dialogue and the democratization process. They will continuously reassess the Nordic measures against South Africa and consider changes in the light of developments.

UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/44/978
14 September 1990

ORIGINAL: ENGLISH

Forty-fourth session
Agenda item 28

POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA

Letter dated 13 September 1990 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General

I have the honour to request that the present letter and the attached announcement by the Ministry of Foreign Affairs of Japan regarding the upcoming visit to Japan by Mr. Nelson Mandela, Deputy President of the African National Congress, be circulated as an official document of the forty-fourth session of the General Assembly, under agenda item 28.

(Signed) Yoshio HATANO
Ambassador Extraordinary
and Plenipotentiary
Permanent Representative of
Japan to the United Nations

ANNEX

Announcement concerning the visit to Japan of the Deputy President of the African National Congress issued by the Ministry of Foreign Affairs of Japan

1. Mr. Nelson Mandela, Deputy President of the African National Congress (ANC), will visit Japan from 27 to 30 October at the invitation of the Government of Japan.

2. The Government of Japan supports peaceful efforts towards the elimination of apartheid, and thus evaluates highly the recent political progress that has been made in South Africa towards that end. Japan intends to expand its dialogue with both the Government of South Africa and black leaders. From this standpoint, the Government of Japan welcomes the visit by Mr. Mandela, who, since his release from prison in February this year, has consistently sought the abolition of apartheid through a process of negotiation.

UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/44/979
17 September 1990
ENGLISH
ORIGINAL: ENGLISH/FRENCH

Forty-fourth session
Agenda item 114

ENHANCING THE EFFECTIVENESS OF THE PRINCIPLE OF PERIODIC AND GENUINE ELECTIONS

Letter dated 17 September 1990 from the Secretary-General to the President of the General Assembly

I have the honour, with reference to agenda item 114, entitled "Enhancing the effectiveness of the principle of periodic and genuine elections", to enclose the text of a further letter which I have received from the Provisional President of Haiti, clarifying the Haitian Government's request for the assistance of the United Nations in connection with the forthcoming general elections in Haiti (see annex).

I should be grateful if you would draw this letter to the attention of the members of the General Assembly.

(Signed) Javier PEREZ de CUELLAR

ANNEX

Letter dated 14 September 1990 from the President of the Provisional Government of Haiti addressed to the Secretary-General

I have the honour to confirm the terms of the request made in the letters dated 23 June 1990 (A/44/965, annex) and 9 August 1990 (A/44/973, annex II) concerning assistance to the Haitian Government in connection with the organization of the forthcoming general elections.

In addition to the assistance to the Provisional Electoral Council, which is already under way and which I hope will continue, my Government maintains its request for support, comprising two inseparable components, for the Haitian electoral process: observation and verification of this process, on the one hand, and assistance in drawing up electoral security plans and observing their implementation, on the other.

It remains understood that in its civilian component, the operation would be analogous to the United Nations Observer Mission for the Verification of the Electoral Process in Nicaragua, and would comprise:

(a) A permanent nucleus of some 50 observers which would arrive in Haiti prior to voter registration and would leave after the elections;

(b) Reserve teams at the time of the elections and, if possible, of voter registration, bringing the total to a few hundred observers. Co-ordination with the Organization of American States is envisaged.

In its security component, the operation would provide for:

(a) Assistance to the Co-ordinating Committee to ensure the security of the elections;

(b) Observation of the implementation of security plans by specialized staff, i.e. by observers, the number of whom will have to be determined, with solid experience in the field of public order.

For the Haitian Government, it is clear that these observers, experts in security matters, will be in no way comparable with "Blue Helmets" or other peace-keeping forces. Absolute responsibility in this area rests with the Haitian Armed Forces.

The mission of these experts is limited to assisting the Co-ordinating Committee in drawing up security plans and to observing the implementation of measures provided for therein.

These experts (soldiers or members of military institutions specialized in the maintenance of internal public order) will not be authorized, throughout the duration of their mission in Haiti, to carry or use firearms for either offensive or defensive purposes.

Their presence will come to an end immediately after the elections.

I should like to emphasize that this request is supported by all national institutions, which are concerned to see the electoral process take place in an orderly and peaceful fashion.

I reiterate the Haitian Government's gratitude for your unceasing efforts to ensure the success of Haiti's request and convey to you the renewed assurances of my highest consideration.

(Signed) Mrs. Ertha PASCAL TROUILLOT
Provisional President of the Republic